From
Principal Secretary to Govt. Haryana,
Town and Country Planning Department
Haryana, Chandigarh.

To
1. The Chairman,
Real Estate Regulatory Authority
Gurugram
2. The Chairman,
Real Estate Regulatory Authority
Panchkula
3. The Director,
Town & Country Planning Department,
Haryana, Chandigarh

Memo No. Misc-BG(EDC)-202/2020/3676-3678   Dated:- 14.08.2020

SUBJECT:- AUTO-CREDIT OF 10% OF RECEIPTS FROM THE ‘70% REALISATIONS ACCOUNT’ MAINTAINED UNDER SECTION 4(2)(l)(D) OF THE REAL ESTATE REGULATION & DEVELOPMENT ACT, 2016 TO EDC – PROVISION AND INTEGRATION THEREOF.

In order to augment, strengthen and further streamline the EDC recovery mechanism, by exploring all available existing statutory mechanisms, one of the options that have emerged is to ensure auto-debit of funds from the ‘70% realizations account’ maintained under Section 4(2)(l)(D) of The Real Estate Regulation & Development Act, 2016 by such colonizers who have been granted license under the Haryana Development and Regulation of Urban Areas Act, 1975.

Accordingly, in exercise of the powers conferred under section 83(1) of the Act of 2016, as well as the powers conferred under Section 9A of the Act of 1975, the Governor of Haryana is pleased to issue the following directions on the subject mentioned above:

(i) The Director shall ensure that the following clause is added in the bilateral agreement to be entered into with the colonisers at the time of grant of all licenses under the Act of 1975, in future:

“a) That, against each licence, the coloniser shall integrate its bank account in which 70% allottee receipts are credited under Section-4(2)(l)(D) of the Real Estate Regulation and Development Act, 2016 with the on-line application/payment gateway of the Department, in such manner, so as to ensure that 10% of the total receipts from each payment made by an allottee is automatically deducted and gets credited to the EDC head in the State treasury.

b) Such 10% of the total receipts from each payment made by an allottee, which is received by the Department shall get automatically credited, on the date of receipt in Government treasury against EDC dues of the concerned licence of the coloniser.

c) Such 10% deduction shall continue to operate till the total EDC dues get recovered from the coloniser against the said licence.

d) The implementation of such mechanism shall, however, have no bearing on the EDC instalment schedule conveyed to the coloniser. The coloniser shall continue to supplement such automatic EDC deductions with payments from its own funds to ensure that the EDC instalments that are due for payment get paid as per prescribed schedule.”

(ii) The Authority under the Act of 2016 shall ensure the implementation of above through issuance of necessary directives, obtaining periodic reports etc. and also ensure regular monitoring of the said mechanism to ascertain the implementation of the same in letter and spirit.
All necessary steps be taken to ensure the implementation of the decision as above in letter and spirit.

These directions are issued as per the approval given by Council of Ministers in its meeting held on 06.07.2020 and conveyed vide U.O No. 9/107/2020-2Cabinet dated 06.07.2020

(A.K. Singh, IAS)  
Principal Secretary to Govt. Haryana  
Town & Country Planning Department

Endst. No. Misc-BG(EDC)-202/2020/3678  
Dated: 14.08.2020

A copy is forwarded to the Secretary, Council of Minister, Haryana with reference to their U.O No. 9/107/2020-2Cabinet dated 06.07.2020 for information please.

(A.K. Singh, IAS)  
Principal Secretary to Govt. Haryana  
Town & Country Planning Department